

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

ROBERT P. BARRY,

Defendant.

2004 JUN -7 P.  
CRIMINAL/NO2 04-10064-RGS

VIOLATIONS:

) 18 U.S.C. § 922(g)(1) -  
) (Felon in Possession of  
) Firearm and Ammunition)  
) 26 U.S.C. § 5861(d)  
) (Possession of an Unregistered  
) Firearm)

SUPERSEDING INFORMATION

COUNT ONE: (18 U.S.C. § 922(g)(1) - Felon in Possession of  
Firearm)

The United States Attorney charges that:

On or about April 30, 2003, at Hyannis, in the District of  
Massachusetts,

**ROBERT P. BARRY,**

the defendant herein, having previously been convicted in a court  
of a crime punishable by imprisonment for a term exceeding one  
year, did knowingly possess, in and affecting commerce, a  
firearm, to wit: an ITM Arms Company rifle receiver, model AK-74,  
.223 caliber, bearing serial number 0000905.

All in violation of Title 18, United States Code, Section  
922(g)(1).

COUNT TWO: (18 U.S.C. § 922(g)(1) - Felon in Possession of Firearm and Ammunition)

The United States Attorney charges that:

On or about October 25, 2003, at South Yarmouth, in the District of Massachusetts,

**ROBERT P. BARRY,**

the defendant herein, having previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting commerce, a firearm, to wit: a Special Weapons LLC, model SW5, 9mm semiautomatic firearm, having been converted to a MP5-type machinegun, bearing serial number A00150, and two rounds of 9mm caliber ammunition.

All in violation of Title 18, United States Code, Section 922(g)(1).

COUNT THREE: (26 U.S.C. § 5861(d) - Possession of an Unregistered Firearm)

The United States Attorney charges that:

On or about October 25, 2003, at South Yarmouth, in the District of Massachusetts,

**ROBERT P. BARRY,**

the defendant herein, did knowingly receive or possess a firearm which is not registered to him in the National Firearms Registration and Transfer Record ("NFRTR"), to wit: a Special Weapons LLC, model SW5, 9mm semiautomatic firearm, having been converted to a MP5-type machinegun, bearing serial number A00150, a "machinegun" within the meaning of 26 U.S.C. § 5845(b).

All in violation of Title 26, United States Code, Sections 5861(d) and 5841.

COUNT FOUR: (18 U.S.C. § 922(g)(1) - Felon in Possession of Firearm)

The United States Attorney charges that:

On or about December 11, 2003, at Dennis, in the District of Massachusetts,

**ROBERT P. BARRY,**

the defendant herein, having previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting commerce, a firearm, to wit: a Colt AR-15, model SP1, .223 caliber rifle, having been converted to a machinegun, bearing serial number SP21312.

All in violation of Title 18, United States Code, Section 922(g)(1).

COUNT FIVE: (26 U.S.C. § 5861(d) - Possession of an Unregistered Firearm)

The United States Attorney charges that:

On or about December 11, 2003, at Dennis, in the District of Massachusetts,

**ROBERT P. BARRY,**

the defendant herein, did knowingly receive or possess a firearm which is not registered to him in the National Firearms Registration and Transfer Record ("NFRTR"), to wit: a Colt AR-15, model SP1, .223 caliber rifle, having been converted to a machinegun, bearing serial number SP21312, a "machinegun" within the meaning of 26 U.S.C. § 5845(b).

All in violation of Title 26, United States Code, Sections 5861(d) and 5841.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

By:

  
ANTOINETTE E.M. LEONEY  
Assistant U.S. Attorney

Date: June 7, 2004